

AMATEUR TELEVISION QUARTERLY

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of:
Proposal to modify section 97.113
"Prohibited transmissions"

) Rm-7896
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)

The Commission is currently considering modification of the rules to allow for specific types of Communications now prohibited by statement or drawn inference and interpretation of the Rules for the Amateur Service. Amateur Television Quarterly Magazine via its publisher, Henry B. Ruh KB9FO, representing an estimated 9,000 amateur radio operators engaged in ham television activity, hereby submits for consideration its comments which are pertinent to an area of this topic specifically of interest to Amateur Television (A5) operators, Amateur Television Repeater operators and other hams involved in emergency and public service operations.

As Commission Staff members are aware, from conversations with myself, Henry B. Ruh KB9FO and through news in our publications, there is a growing segment of ham radio operators which engage in ham television operation on the 420 MHz. and up frequencies. Many of these hams operate public service communications for life safety purposes for various public and private sector events such as parades, walk-a-thons, various sports races, and similar gatherings. In addition, many individual and repeater operators have provided weather information including the visual transmission of rainfall and wind data as commonly displayed on doppler type radar systems operated by the United States Weather Bureau, NOAA, private radar station operators and ham owned radar stations. In addition there have been a number of stations which relay the permitted NASA Select video feeds of shuttle missions to other hams which are engaged in educational and private interest of sciences.

The Commission's Rules have never specifically referred to the use of ham radio as support for these various activities regardless of whether CW, SSB, FM, FAX, RTTY or ATV modes are used with the exception of the specific authorization for NASA Select.

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There is no question that the Amateur service provides valuable public safety communications without compensation for these services listed above. It is our position that this should remain so. However, there have been a number of instances where it is not clearly determinable because of specific circumstances if these activities constitute "Business" communications as might be interpreted by different factions.

The interest of the Amateur community to continue to provide these life safety communications is without a doubt well intentioned and a benefit to Society and ham radio as practical applications of technical skills, training for serious disaster communications.

On behalf of those interested in continuing these activities we hereby request that the Commission consider including in its Permitted communications for Amateur stations, these types of communications in all modes. I stress all modes since there has been widespread use of, as example, the relaying of NOAA, NWS teletype information under all circumstances, yet there is a question about relaying the NWS/NOAA and other source weather Radar PPI display video via amateur radio. As was clearly demonstrated when NASA tried to explain in words to orbiting astronauts how to make a "fly swatter" from a clip board to turn on a satellite launched into orbit, a picture is worth a thousand words. Descriptions of a PPI display via words can be confusing, long and inefficient, whereas a simple video display of a map with the weather information on it is instantly interpreted by any trained observer or person familiar with map readings and color scales. There are already thousands of hams who receive satellite FAX weather maps via analog and digital signals. The direct reception of the video signal from a similar data source should not be eliminated nor questioned as a data source rather than as a "re-transmission" of a signal any more so than connecting a video output from a computer is a "re-transmission" of the data that was received from other than the computer keyboard! The radar pulses are not being retransmitted, nor are the microwave linked data carriers from a phone line.

Likewise, there are materials available from NASA via satellite and even from the FCC library of films which are of interest to hams. Currently, these cannot be transmitted although in many instances they are and have, even in the presence of FCC officials (*1) who made no objection or mention of the content. Likewise, there is incidental music on the NASA programs or possibly even from a passing band, hand carried radio or cassette player in any public event. The "background" or incidental audio (music in this example) is prohibited and some would interpret the rules to mean that an amateur station must quit transmitting while in the presence of these sounds, even though they have nothing to do with the voice or video transmission in progress. Imagine if you will, trying to relay a life safety message while hovering over a person injured in some way and having to end the transmission because someone nearby happens to have a radio playing music! Absurd to be sure. If the word "Broadcasting" of music is interpreted as meaning, "to play, live or recorded music, for the public enjoyment and entertainment as part of an entertainment program intended to be received by non amateur stations then there is not a problem with the transmission of music as incidental to the communications of the Amateur station. This would be a better regulation than a prohibition on music in total as now read in the rules.

Therefore, it is requested that the Commission consider its definition of "Broadcasting" as applied to the Amateur service as being different than that as defined for public broadcast services, ie AM, FM, TV Broadcast/cable services (Part 73 license holders). This would permit amateur stations to transmit communications while in the presence of incidental material that is within "mic" range of the amateur station.

There is yet another area where the Music prohibition discourages amateur radio usage by a population segment, those in the music industry. A musician cannot, for example, use Amateur radio to communicate to another amateur radio station to explain and demonstrate how a new sound was generated by a MIDI device, synthesizer or natural musical instrument. Certainly, we are not interested in listening to full concerts or recitals, but a note or two would allow such exchanges. This same communication does not seem to be prohibited in any other service, ie common carrier, or other commercial, for-hire communications systems!

It would seem that the music prohibition should stem from an infringement on commercial/public broadcasting and copyright, not as a form of communication. I will let the Commission staff think out how this can be accommodated! It is surely a circumstance specific question!

SUMMARY


It is requested that public service, life safety communications, including the relay of information from any source not protected by copyright, specifically, weather, life safety and related information be permitted in any mode, or simplex or repeater operation, including "retransmission" of any NASA Select, NOAA, NWS data, information and program sources and Amateur Station generated communications be permitted as a not-for-hire communication service for all Amateur stations. These communications to be permitted for the purpose of communications between any amateur station and any other amateur station, for personal communications and permitted as support of public safety efforts associated with any non-profit organization, club or Corporation.

Further, any permitted communications should be understood as including any transmission form, both current and yet to be developed.

Footnotes:

*1 For example, the FCC film which details the FOB efforts to find transmitters during WWII has been transmitted in the presence of the FCC in Washington DC, though there is incidental music to the movie soundtrack.

Yours truly,



Henry B. Ruh KB9FO
Publisher, ATVQ